

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Withdrawn) A fixing apparatus comprising:

a heat roller;

an induction heating coil arranged along an axial direction of the heat roller;

a resonance circuit composed of the coil;

a switching element for exciting the resonance circuit;

an oscillator outputting on/off signals for driving on and off the switching element;

a thermostat opening and closing in accordance with a temperature of the coil; and

a relay through which an operating current flows via the thermostat, the relay having a contact being inserted and connected to a conduction path of on/off signals supplied from the oscillator to the switching element.

2. (Withdrawn) A fixing apparatus according to claim 1, wherein the thermostat has a small heat capacity.

3. (Withdrawn) A fixing apparatus according to claim 1, wherein the thermostat has a small heat capacity, and opens and closes in accordance with a temperature of an approximately middle portion along the axial direction of the heat roller.

4. (Withdrawn) A fixing apparatus according to claim 1, wherein the thermostat includes:

a first thermostat, which has a small heat capacity, and opens and closes in accordance with a temperature of an approximately middle portion along the axial direction of the heat roller; and

a second thermostat, which has a small heat capacity, and opens and closes in accordance with a temperature of one or the other end portion along the axial direction of the heat roller.

5. (Withdrawn) An image forming apparatus including the fixing apparatus described in claim 1, comprising:

a freely opening and closing cover provided on a main body of the image forming apparatus; and

a switch opening and closing in accordance with opening and closing of the cover, and being inserted and connected to the conduction path to the relay.

6. (Original) A fixing apparatus comprising:

a heat roller;

a coil arranged along an axial direction of the heat roller;

a resonance circuit composed of the coil;

a first switching element for exciting the resonance circuit;

a thermostat opening and closing in accordance with a temperature of the coil;

a second switching element forming a conduction path for driving the first switching element together with the thermostat; and

an oscillator outputting on/off signals for driving on and off the second switching element.

7. (Currently Amended) A The fixing apparatus according to claim 6, wherein the thermostat has rated voltage of 30 V or less and rated current of 1 A or less.

8. (Currently Amended) ~~A~~ The fixing apparatus according to claim 6, wherein the thermostat has a small heat capacity, and opens and closes in accordance with a temperature of an approximately middle portion along the axial direction of the heat roller.

9. (Currently Amended) ~~A~~ The fixing apparatus according to claim 6, wherein the thermostat includes:

a first thermostat, which has a small heat capacity, and opens and closes in accordance with a temperature of an approximately middle portion along the axial direction of the heat roller; and

a second thermostat, which has a small heat capacity, and opens and closes in accordance with a temperature of one or the other end portion along the axial direction of the heat roller.

10. (Original) An image forming apparatus including the fixing apparatus described in claim 6, comprising:

a freely opening and closing cover provided on a main body of the image forming apparatus; and

a switch opening and closing in accordance with opening and closing of the cover, and forming a conduction path for driving the first switching element together with the thermostat and the second switching element.

11. (Currently Amended) ~~A fixing apparatus~~ An image forming apparatus comprising:

~~a heater~~ heat roller; including a conductive member;

~~a coil arranged adjacent to the heater;~~

a resonance circuit which is configured with a coil and a condenser; ~~composed of the coil;~~

a first switching element which is connected to ~~for exciting~~ the resonance circuit;  
a thermostat which opens and closes in accordance with a temperature of the heat roller;  
a second switching element which forms a conduction path to the first switching element with the thermostat; and  
an oscillator ~~outputting~~ which outputs on/off signals ~~for driving on and off to~~ the first switching element through the second switching element;  
~~a control circuit controlling at least said oscillator; and~~  
~~a second switching element forming a conduction path for driving the first switching element;~~  
~~the control circuit driving on and off the second switching element.~~

12. (New) The fixing apparatus according to claim 11, further comprising:

a CPU which controls the oscillator;  
a temperature sensor which detects the temperature of the heat roller; and  
a controller which controls the CPU in accordance with an output of the temperature sensor.

13. (New) The fixing apparatus according to claim 11, further comprising a second resonance circuit which is configured with a coil and a condenser, and the second resonance circuit connects the resonance circuit in parallel.

14. (New) The fixing apparatus according to claim 11, wherein the thermostat has rated voltage of 30 V or less and rated current of 1 A or less.

15. (New) The fixing apparatus according to claim 11, wherein the thermostat opens and closes in accordance with a temperature of an approximately middle portion along an axial direction of the heat roller.

16. (New) An image forming apparatus comprising:

a heat roller;

a resonance circuit which is configured with a coil and a condenser;

a first switching element which is connected to the resonance circuit;

a thermostat which opens and closes in accordance with a temperature of the heat roller;

a second switching element which forms a conduction path to the first switching element with the thermostat; and

an oscillator which outputs on/off signals to the first switching element through the second switching element.

17. (New) The image forming apparatus according to claim 16, further comprising:

a freely opening and closing cover provided on a main body of the image forming apparatus; and

a switch which opens and closes in accordance with opening and closing of the cover, and forms a conduction path to the first switching element together with the thermostat and the second switching element.